

**IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

<b>VIRGIL RUSHING</b>	:	<b>CIVIL ACTION</b>
	:	
<b>v.</b>	:	
	:	
<b>EMPLOYEE OF SOUTHEASTERN PA TRANSPORT AUTHORITY, Bus Driver, EMPLOYEE OF SOUTHEASTERN PA TRANS AUTHORITY, Bus Driver and EMPLOYEE OF SOUTHEASTERN PA TRANS AUTHORITY, Bus Driver</b>	: : : : : : :	
	:	<b>NO. 19-890</b>

**ORDER**

**NOW**, this 27th day of March, 2019, upon consideration of plaintiff's Motion for Leave to Proceed *In Forma Pauperis* (Document No. 1) and his Complaint, it is **ORDERED** that:

1. Leave to proceed *in forma pauperis* is **GRANTED**;
2. The Complaint is deemed filed;
3. Pursuant to 28 U.S.C. § 1915(e)(2)(B)(ii), the Complaint is **DISMISSED WITHOUT PREJUDICE** for failure to state a claim;
4. Plaintiff is granted leave to file an amended complaint within thirty (30) days of the date of this Order, provided he can state a plausible, timely claim for relief against a proper defendant;<sup>1</sup>
5. The Clerk of Court shall furnish plaintiff with a copy of the Court's current standard form to be used by a non-prisoner *pro se* litigant filing a civil action, bearing the above-captioned Civil Action Number;
6. Plaintiff shall use this standard form to file his amended complaint;

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<sup>1</sup> Any individual or entity that is not listed in the caption of the amended complaint will not be treated as a defendant.

7. Any amended complaint shall: (a) identify all defendants in the caption of the amended complaint in addition to identifying them in the body of the amended complaint; (b) state the basis for plaintiff's claims against each defendant; and (c) specifically name the person or persons who plaintiff claims violated his rights;

8. If the plaintiff files an amended complaint, the Clerk shall not make service until so ordered by the Court; and,

9. If plaintiff fails to comply with this order, his case will be dismissed for failure to prosecute.

/s/TIMOTHY J. SAVAGE